

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Joel E. Bernstein)
)
Serial Number: 10/767,106)
)
Filed: January 29, 2004)
)
Title: Method and Compositions for Treatment)
of Acne Vulgaris and Acne Rosacea)
)
Confirmation No.: 4430)
)
Attorney Docket No.: 874987-600-007)

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT BY ATTORNEY THAT APPLICATION FILED IN PTO
IS THE ONE INVENTORS EXECUTED BY SIGNING DECLARATION**

Dear Sir:

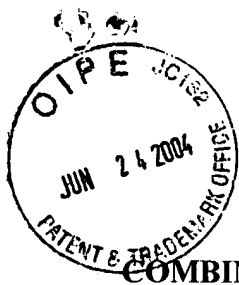
I, Ronald A. Sandler
Jones Day
Suite 3500
77 West Wacker Drive
Chicago, Illinois 60601-1692
Tel. No.: (312) 782-3939

I state I am the attorney for this application and the application identified above is the application which the inventors executed by signing the declaration which is being submitted herewith

Respectfully submitted,

Ronald A. Sandler, Registration No. 23,066

Dated: June 24, 2004



Docket No. 874987600007
PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND COMPOSITIONS FOR TREATMENT OF
ACNE VULGARIS AND ACNE ROSACEA**

the specification of which:

(check one) x is attached hereto

 x was sent for filing on 1/29/04 and
accorded Application Serial No. 10/767,106 and was
amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE

As a named inventor, I hereby appoint: RONALD A. SANDLER, Reg. No. 23,066; SANDRA B. WEISS, Reg. No. 30,814; JAMES B. RADEN, Reg. No. 24,594; DAVID L. WITCOFF, Reg. No. 31,443; JOHN A. MARLOTT, Reg. No. 37,031; JOSEPH H. GOLANT, Reg. No. 24,210; MARC S. BLACKMAN, Reg. No. 43,501; STACY A. BAIM, Reg. No. 44,534; MARK V. CAMPAGNA, Reg.

No. 42,380; MATTHEW KELLAM, Reg. No. 48,442 and KRISTA S. SCHWARTZ, Reg. No. 42,134 who are with the firm of JONES, DAY, REAVIS & POGUE, as my attorneys or patent agents, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

I request that all correspondence be directed to:

Sandra B. Weiss
JONES DAY
77 West Wacker
Chicago, Illinois 60601-1692

Please direct all telephone calls to Sandra B. Weiss at (312) 269-4130.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first or sole inventor: BERNSTEIN, Joel E.

Inventor's signature:  _____

Date: January 29, 2004

Residence: 615 Briarhill Road
Deerfield, Illinois 60015

Citizenship: United States of America

Post Office Address: (same as residence)